

GANFER & SHORE, LLP

360 LEXINGTON AVENUE

NEW YORK, NEW YORK 10017

TELEPHONE (212) 922-9250

FACSIMILE (212) 922-9335

Mark A. Berman, Esq.
Ext. 251
mberman@ganfershore.com

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VIA ECF

Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: **Lawson, et al. v. Rubin, et al., Case No.: 17-cv-6404 (BMC)**

Dear Judge Cogan:

We represent Defendant Stephanie Shon in the above-referenced action. We write to follow-up regarding the schedule for the filing of motions to dismiss by the various Defendants.

On November 28, 2017, counsel for Jennifer Powers, Schlam Stone & Dolan LLP, in accordance with Your Honor's Individual Practices, filed a pre-motion letter requesting a pre-motion conference and proposing a briefing schedule on behalf of Defendants Howard Rubin, Jennifer Powers, Yifat Schnur, and Shon [Dkt. 34]. In that letter, Defendants, after conferring with Plaintiffs' counsel, proposed the following briefing schedule for the motion to dismiss: Defendants' moving papers to be served by January 16, 2018; Plaintiffs' opposition to be served by February 15, 2018; and Defendants' reply to be served by March 5, 2018.

On December 11, 2017, after receiving Plaintiffs' responsive letter [Dkt. 36], the Court entered an Order directing Defendants to submit a letter regarding any additional grounds upon which they would move to dismiss, and staying all Defendants' time to answer pending further Order of the Court. Defendants submitted supplemental letters on December 18, 2017 [Dkt. 40, 43, 44, 46] and Plaintiffs replied on December 19, 2017 [Dkt. 47, 48, 49, 50].

We assume that pursuant to the Court's December 11 Order, Defendants time to answer or move in response to the complaint remains stayed pending further Order of the Court. However, as the January 16th date is rapidly approaching, in an abundance of caution, we respectfully request that the Court confirm that Defendants' time to respond, including by motions to dismiss, is stayed pending receipt of a further Order, or, if this is incorrect, whether the Court expects the Defendants to file their motions on January 16, 2018, in accordance with the proposed schedule, which Defendants Rubin, Powers, Schnur, and Shon are prepared to do.

Respectfully submitted,



Mark A. Berman

cc: All counsel of record (via ECF)